UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/903,918	07/12/2001	Terry Covert	COVERT001	1510

7590 11/04/2005	EXAMINER
EUGNE R. QUINN, JR.	COBANOGLU, DILEK B
4030 COOL WATER COURT	

ART UNIT	PAPER NUMBER
3626	

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DATE MAILED: 11/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12 July 2001*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-18* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-18* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *30 April 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   Claims 1 to 18 have been examined.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3.   Claims 1, 6 to 16 and 18 are rejected under 35 U.S.C. 102(e) as being

unpatentable by Luchs et al. (U.S. Patent No.4,831,526).

A. As per clai m 1, Luchs et al. discloses a method for pricing and selling Family

Protector Insurance comprising:

        i.   receiving information relative to the proposed purchase of Family

Protector Insurance (Luchs et al.; col.3, lines 9-12);

        ii.   determining the price of the Family Protector Insurance (Luchs et

al.; col.3, lines 34-36);

        iii.   conveying the price (Luchs et al.; col.3, lines 34-38) and policy

terms (Luchs et al.; col.3, line 66 to col.4, line 1) to the party interested in

purchasing Family Protector Insurance.

B. As per clai m 6, Luchs et al. discloses the method of claim 1, further comprising the step of inputting the information into a computer or agent terminal (Luchs et al.; col.3, lines 17-21).

C. As per claim 7, Luchs et al. discloses the method of claim 1, further comprising the step of inputting the information into a computer or agent terminal (Luchs et al.; col.3, lines 17-21) and of conveying the information to the insurer via computer network (Luchs et al.; col.2, lines 59-64).

D. As per claim 8, Luchs et al. discloses the method of claim 1, wherein the step of receiving information relative to the proposed purchase of Family Protector Insurance is accomplished by receiving the information via a computer network (Luchs et al.; col.2, lines 59-64 and col.3, lines 34-36).

E. As per clai m 9, Luchs et al. discloses the method of claim 1, further comprising the steps of conveying information to the insured (Luchs et al.; col.3, lines 34-38).

F. As per claim 10, Luchs et al. discloses the method of claim 1, further comprising the steps of conveying information to the insured wherein the step of conveying the information to the insurer includes conveying the information via computer network (Luchs et al.; col.3, lines 34-38 and col.2 ,lines 59-64).

G. As per claim 11, Luchs et al. discloses the method of claim 1, wherein the step of receiving information relative to the proposed purchase of Family Protector Insurance is accomplished by an insurance agent obtaining the

information from the party interested in purchasing the Family Protector

Insurance (Luchs et al.; col.3, lines 17-29).

H. As per claim 12, Luchs et al. discloses the method of claim 1, wherein the

step of determining is accomplished by a computer program calculating the price

based upon the information received (Luchs et al.; col.5, lines 43-50 and col.3,

lines 34-36).

I. As per claim 13, Luchs et al. discloses the method of claim 1, wherein the

step of conveying the purchase price is accomplished by conveying the purchase

price to the party interested in purchasing Family Protector Insurance through a

computer network (Luchs et al.; col.2, lines 59-64 and col.3, lines 34-38).

J. As per claim 14, Luchs et al. discloses the methods of claims 1, further

comprising the step of receiving a request to purchase Family protector

Insurance (Luchs et al.; col.3, lines 9-12).

K. As per clai m 15, Luchs et al. discloses a data processing apparatus for

determining a price for Family Protector Insurance comprising:

> i.   a central controller having a CPU and a memory operatively
>
> connected to the CPU (Luchs et al.; col.2, lines 59-64);
>
> ii.   at least one terminal connected to the central controller that is
>
> adapted for communicating with the central controller (Luchs et al.; col.2,
>
> lines 59-64 and col.3, lines 34-36);
>
> iii.   the memory in the central controller containing a program (Luchs et
>
> al.; col.2, lines 59-64 and col.5, lines 43-50), adapted to be executed by

the CPU, for determining a price for Family Protector Insurance based

upon information received by the central controller (Luchs et al.; col.3,

lines 34-36).

L. As per claim 16, Luchs et al. discloses the apparatus of claim 15, wherein the

program in the memory is adapted to receive a request to purchase Family

Protector Insurance (Luchs et al.; col.3, lines 9-12).

M. As per claim 18, Luchs et al. discloses a data processing apparatus for selling

Family Protector Insurance comprising a terminal adapted to communicate with a

central controller that calculates a price of the Family Protector Insurance (Luchs

et al.; col.3, lines 34-38).

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

5.   Claims 2 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Luchs et al. (U.S. Patent No.4,831,526) in view of Mitcham (U.S. Patent No. 5,537,315).

A. As per clai m 2, Luchs et al. discloses the method of claim 1, wherein the step

of receiving information includes receiving name (Luchs et al.; col.3, lines 21-29)

and social security number.

Luchs et al. fails to expressly teach the receive the social security number,

per se, since it appears that Luchs et al. is more directed to obtain any

information necessary in providing a policy and premium quotation.

However, this feature is well known in the art, as evidenced by Mitcham

In particular, Mitcham discloses a method and apparatus for issuing

insurance from kiosk, which user enters name, address and telephone

number (Mitcham; col.6, lines 31-34) wherein company requests social

security number (Mitcham; col.6, lines 39-43).

It would have been obvious to one having ordinary skill in the art at the

time of the invention to have combined the obtaining any information

necessary in providing a policy and premium quotation with the requesting

social security number with the motivation of the additional information

needed by the company (Mitcham; col. 6, lines 39-41).

B. As per clai m 17, Luchs et al. discloses the apparatus of claim 15, wherein the

program in the memory is adapted to receive a request to purchase Family

Protector Insurance (Luchs et al.; col.3, lines 9-12) and where the program is

further adapted to perform a credit card transaction to purchase the insurance to

the purchasing party.

Luchs et al. fails to expressly teach to perform a credit card transaction,

per se, since it appears that Luchs et al. is more directed to appraising the

customer the cost of the insurance. However, this feature is well known in

the art, as evidenced by Mitcham.

In particular, Mitcham discloses a method and apparatus for issuing

insurance from kiosk, which is an interactive multimedia kiosk (Mitcham;

col.3, lines 31-35) wherein, the kiosk includes a credit card entry system
(Mitcham; col.3, lines 34-37).

It would have been obvious to one having ordinary skill in the art at the
time of the invention to have combined the appraising the customer the
cost of the insurance with a credit card entry system with the motivation of
the user selection to pay for the insurance with a credit card (Mitcham; col.
4, lines 23-25).

6.   Claims 3 to 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over
Luchs et al. (U.S. Patent No.4,831,526) in view of Lynch et al. (U.S. Patent No.
6,901,384).

A. As per clai m 3, Luchs et al. discloses the method of claim 1, wherein the step
of receiving information includes receiving a copy of the court ordered divorce
decree.

Luchs et al. fails to expressly teach to receive a copy of the court ordered
divorce decree, per se, since it appears that Luchs et al. is more directed
to obtain information such as insured's name, address and any other
information necessary (Luchs et al.; col.3, lines 25-29). However, this
feature is well known in the art, as evidenced by Lynch et al..
In particular, Lynch et al. discloses a system and method for automated
process of deal structuring wherein, miscellaneous stipulations include
requiring the customer to provide a copy of the divorce decree (Lynch et
al.; col.24, lines 40-44).

It would have been obvious to one having ordinary skill in the art at the time of the invention to have combined the obtaining information such as insured's name, address and any other information necessary with requiring the customer to provide a copy of the divorce decree with the motivation of the offeror or insurer to determine the stipulations that apply to the customer (Lynch et al.; col. 24, lines 12-16).

B. As per clai m 4, Luchs et al. discloses the method of claim 1, wherein the step of receiving information includes receiving a copy of the court order containing the child support award.

Luchs et al. fails to expressly teach to receive a copy of the court ordered child support award, per se, since it appears that Luchs et al. is more directed to obtain information such as insured's name, address and any other information necessary (Luchs et al.; col.3, lines 25-29). However, this feature is well known in the art, as evidenced by Lynch et al..

In particular, Lynch et al. discloses a system and method for automated process of deal structuring wherein, miscellaneous stipulations include requiring the customer to provide a copy of the divorce decree (Lynch et al.; col.24, lines 40-44) and also exemplary documentation such as alimony and child support (Lynch et al.; table 22).

It would have been obvious to one having ordinary skill in the art at the time of the invention to have combined the obtaining information such as insured's name, address and any other information necessary with

requiring the customer to provide a copy of the divorce decree with the

motivation of the offeror or insurer to determine the stipulations that apply

to the customer (Lynch et al.; col. 24, lines 12-16).

C. As per claim 5, Luchs et al. discloses the method of claim 1, wherein the step

of receiving information includes receiving a copy of the court ordered alimony

award.

The obviousness of modifying the teaching of Luchs et al to include

receiving a copy of the court ordered alimony award (as taught by Lynch

et al.) is as addressed above in the rejection of claim 4 and incorporated
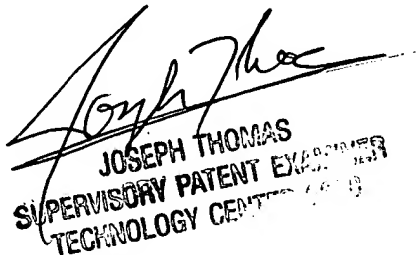
herein.

Conclusion

7.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure. The cited but not used prior art teach "Method and apparatus for

insuring the funding of a future liability of uncertain cost" 4,839,804, "Life insurance

method, and system" 5,752,236, "Method and apparatus for providing professional

liability coverage" 5,752,237, "Method for combining loan with key employee life

insurance" 5,966,693, "Apparatus and method for transacting marketing and sales of

financial products" 5,987,434, "Method and system for processing and recording the

transactions in a medical savings fund account" 6,044,352, "System and method for

real-time rating, underwriting and policy issuance" 2002/0091550, "Systems and

methods for a personal, universal, integrated organizer for legacy planning and storage"

2002/0111946.

8.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Dilek B. Cobanoglu whose telephone number is 571-

272-8295. The examiner can normally be reached on 8-4:30.

9.   If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Joseph Thomas can be reached on 571-272-6776. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

10.   Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Dilek B. Cobanoglu
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